

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DELANI J. STEWART-WILSON, a minor,)	
by her natural mother and legal guardian,)	
D'ERICKA STEWART,)	
)	
Plaintiff,)	CIVIL ACTION NO.
)	
v.)	
)	
CHRISTIAN H. BUHL LEGACY TRUST)	(Electronically Filed)
f/k/a SHARON REGIONAL HEALTH)	
SYSTEM and JOHN GALLAGHER, M.D.,)	
)	
Defendants.)	

NOTICE OF REMOVAL

1. Removal of this action is pursuant to 28 U.S.C. § 1442(a)(1).
2. On or about January 9, 2017, Plaintiff Delani J. Stewart-Wilson, a minor by her natural mother and legal guardian, D'Ericka Stewart, filed a Complaint against Defendants Christian H. Buhl Legacy Trust f/k/a Sharon Regional Health System and John Gallagher, M.D., in the Court of Common Pleas of Mercer County, Pennsylvania, at Case Number 2016-2717.
3. The Plaintiff alleges negligence against Defendants Christian H. Buhl Legacy Trust f/k/a Sharon Regional Health System and John Gallagher, M.D. for medical treatment provided before and during the birth of her minor daughter, Delani J. Stewart-Wilson resulting in permanent and irreparable harm to her right shoulder and arm.
4. At all times noted hereto, Defendant John Gallagher, M.D. was an employee, working within the scope of his employment with the United States of America.
5. No trial or proceeding has been commenced in said civil action.

6. A true and correct copy of all pleadings and process received by the United States Attorney's Office in said civil action are attached hereto and marked as Exhibit "A".

WHEREFORE, Defendant John Gallagher, M.D. removes this matter from the Court of Common Pleas of Mercer County, Pennsylvania, at Case Number 2016-2717, to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

SOO C. SONG
Acting United States Attorney

Dated: January 24, 2017

/s/ Michael C. Colville
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